

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 250) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 250

Whereas, in the case of *People of the State of California v. Amir Shervin*, No. 05-221878, pending in Superior Court in Alameda County, California, the prosecution has sought testimony from Eric Vizcaino, an employee of Senator Barbara Boxer;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent an employee of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That Eric Vizcaino and any other employee of Senator Boxer's office from whom testimony may be necessary are authorized to testify in the case of *People of the State of California v. Amir Shervin*, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent employees of Senator Boxer's office in connection with the testimony authorized in section one of this resolution.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, and upon the recommendation of the majority leader, pursuant to 22 U.S.C. 2761, as amended, appoints the following Senators as delegates of the British-American Interparliamentary Group conference during the 111th Congress: the Honorable BERNARD SANDERS of Vermont, and the Honorable ROLAND BURRIS of Illinois.

The Chair, on behalf of the President pro tempore, and upon the recommendation of the Republican leader, pursuant to 22 U.S.C. 2761, as amended, appoints the following Senator as a delegate of the British-American Interparliamentary Group conference during the 111th Congress: the Honorable JUDD GREGG of New Hampshire.

The Chair, on behalf of the majority leader, pursuant to Public Law 101-549, appoints the following individual to the Board of Directors of the Mickey

Leland National Urban Air Toxics Research Center: Shawn Gerstenberger of Nevada.

Mr. WHITEHOUSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BENNET. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WHITEHOUSE). Without objection, it is so ordered.

The Senator from Colorado is recognized.

Mr. BENNET. I thank the Chair.

(The remarks of Mr. BENNET pertaining to the introduction of S. 1613 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

ORDERS FOR FRIDAY, AUGUST 7, 2009

Mr. BENNET. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. tomorrow, Friday, August 7; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and there then be a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BENNET. Mr. President, there will be no rollcall votes during Friday's session of the Senate. The next vote will occur at approximately 5:30 p.m. on Tuesday, September 8.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. BENNET. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 10:01 p.m., adjourned until Friday, August 7, 2009, at 9:30 a.m.

NOMINATIONS

Executive Nominations Received by the Senate:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

JIM R. ESQUEA, OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF HEALTH AND HUMAN SERVICES, VICE VINCENT J. VENTIMIGLIA, JR., RESIGNED.

DEPARTMENT OF STATE

JOSE W. FERNANDEZ, OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF STATE (ECONOMIC, ENERGY, AND BUSINESS AFFAIRS), VICE DANIEL S. SULLIVAN, RESIGNED.

WILLIAM E. KENNARD, OF THE DISTRICT OF COLUMBIA, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE EUROPEAN UNION, WITH THE RANK

AND STATUS OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY.

ALAN D. SOLOMONT, OF MASSACHUSETTS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO SPAIN, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO ANDORRA.

LEGAL SERVICES CORPORATION

ROBERT JAMES GREY, JR., OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2011, VICE BERNICE PHILLIPS, TERM EXPIRED.

JOHN GERSON LEVI OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2011, VICE HERBERT S. GARTEN, TERM EXPIRED.

MARTHA L. MINOW, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2011, VICE DAVID HALL, TERM EXPIRED.

JULIE A. REISKIN, OF COLORADO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2010, VICE THOMAS R. MEITES, TERM EXPIRED.

GLORIA VALENCIA-WEBER, OF NEW MEXICO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2011, VICE SARAH M. SINGLETON, TERM EXPIRED.

EXECUTIVE OFFICE OF THE PRESIDENT

BENJAMIN B. TUCKER, OF NEW YORK, TO BE DEPUTY DIRECTOR FOR STATE, LOCAL, AND TRIBAL AFFAIRS, OFFICE OF NATIONAL DRUG CONTROL POLICY, VICE SCOTT M. BURNS.

DEPARTMENT OF JUSTICE

KENYEN RAY BROWN, OF ALABAMA, TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF ALABAMA FOR THE TERM OF FOUR YEARS, VICE DEBORAH JEAN JOHNSON RHODES, RESIGNED.

NEIL H. MACBRIDE, OF VIRGINIA, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF VIRGINIA FOR THE TERM OF FOUR YEARS, VICE CHARLES P. ROSENBERG, RESIGNED.

BENJAMIN B. WAGNER, OF CALIFORNIA, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF CALIFORNIA FOR THE TERM OF FOUR YEARS, VICE MCGREGOR WILLIAM SCOTT, RESIGNED.

STEVEN GERARD O'DONNELL, OF RHODE ISLAND, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF RHODE ISLAND FOR THE TERM OF FOUR YEARS, VICE BURTON STALLWOOD.

THE JUDICIARY

JANE BRANSTETTER STRANCH, OF TENNESSEE, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SIXTH CIRCUIT, VICE MARTHA CRAIG DAUGHTREY, RETIRED.

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

DAVID C. GOMPERT, OF VIRGINIA, TO BE PRINCIPAL DEPUTY DIRECTOR OF NATIONAL INTELLIGENCE, VICE DONALD M. KERR, RESIGNED.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. JOHN S. WELCH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271:

To be rear admiral (lower half)

CAPTAIN DANIEL B. ABEL
CAPTAIN VINCENT B. ATKINS
CAPTAIN STEPHEN E. MEHLING
CAPTAIN KARL L. SCHULTZ
CAPTAIN SANDRA L. STOSZ
CAPTAIN CARI B. THOMAS
CAPTAIN CHRISTOPHER J. TOMNEY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT AS A PERMANENT COMMISSIONED REGULAR OFFICER IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER SECTION 211(A)(1), TITLE 14, U.S. CODE:

To be lieutenant

THOMAS J. RILEY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT AS A PERMANENT COMMISSIONED REGULAR OFFICER IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER SECTION 211(A)(1), TITLE 14, U.S. CODE:

To be lieutenant

SHADRACK L. SCHEIRMAN

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT AS A PERMANENT COMMISSIONED REGULAR OFFICER IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER SECTION 211(A)(1), TITLE 14, U.S. CODE:

To be lieutenant

CHAD R. HARVEY